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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/970,530	MATTILA ET AL.
	Examiner	Art Unit	
	Jude J. Jean-Gilles	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>23 May 2005</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-43</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-43</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>03 October 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>07/07/2003, 2/13/02</u>

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

This Action is in regards to the Reply received on 23 May, 2005.

Response to Amendment

1.   This action is responsive to the application filed on May 23rd, 2005. Claims 1, 2, 33, and 34 were amended. Claims 44 and 45 are newly added. Claims 1-45 are pending. Claims 1-45 represent a method and system "for controlling access to downloadable resources."

Response to Arguments

2.   Applicant's arguments with respect to claims 1, 19, 29, 33, 34, 35, and 41 have been carefully considered, but are not deemed fully persuasive. Applicant's arguments are deemed moot in view of the following new ground of rejection as explained here below, necessitated by Applicant substantial amendment (i.e., a method wherein retrieving , from a download server, an access ticket object associated with a transaction request using the ticket ID...) to the claims which significantly affected the scope thereof.

The dependent claims stand rejected as articulated in the First Office Action and all objections not addressed in Applicant's response are herein reiterated.

Information Disclosure Statement

3.   The references listed on the Information Disclosure Statements submitted on 02/13/2002, 01/21/2003, and 07/07/2003 have been considered by the examiner (see attached PTO-1449A).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   **Claims 1- 16, 18-27, 29-41, and 43-45** are rejected under 35 U.S.C. 103(a) as

being unpatentable over Sehr (Sehr), U.S. Patent No. 6,085,976, in view of Ginter et al.

(Ginter), U.S. Patent No. 5,910,987.

Regarding **claim 1**, Sehr discloses the invention substantially as claimed.

Although Sehr teaches a method for controlling download access to content available

via a network service, comprising:

receiving a content download request from the network service, wherein the

content download request includes access information (*column 19, lines 3-33*);

creating an access ticket object based on the access information, wherein the

access ticket object comprises a plurality of ticket fields to store a plurality of access

parameters parsed from the access information (*fig. 3; column 23, lines 20-67*);

retrieving the access ticket object associated with a transaction request using a

ticket identifier accompanying the transaction request (*column 11, lines 63-67; column

12, lines 1-52*);

Sehr further teaches authorizing a content download based on the access

parameters of the retrieved access ticket object (*column 20, lines 15-46*); However Sehr

does not specifically show the step of delivering the content to a user terminal identified

by the access ticket object if the content download is authorized.

In the same field of endeavor, Ginter discloses a " VDE service *server which, in*

response to a request releases the requested content and deliver the content over the

network to the requesting user...) [*see Ginter, column 222, lines 30-61*].

Accordingly, it would have been obvious to one of ordinary skill in the networking

art at the time the invention was made to have incorporated Ginter's teachings of a

method and apparatus to deliver the user content to a user terminal based on the

authorized content download, with the teachings of Sehr, for the purpose of

"*authenticating the cardholder or system information and to guarantee a secure*

information exchange" as stated by Sehr in lines 37-40 of column 3. Thus, Ginter also

provides motivation to combine by stating a need to also provide to the network with

"*the ability to protect rights of various participants in electronic commerce and other*

electronic or electronically-facilitated transactions..." [*see Ginter, column 1, lines 23-27*].

By this rationale **claim 1** is rejected.

Regarding **claim 2**, the combination Sehr-Ginter teaches the method of claim 1,

wherein creating an access ticket object comprises creating the access ticket object at a

download server coupled to the network service via a network. The same motivation

that was utilized in the combination of claim 1, applies equally as well to claim 2 [*see*

Ginter, column 222, lines 9-39]. By this rationale **claim 2** is rejected.

Regarding **claim 3**, the combination Sehr-Ginter teaches the method of claim 2,

wherein retrieving the access ticket object comprises fetching the access ticket object

from a storage in the download server. The same motivation that was utilized in the

combination of claim 1, applies equally as well to claim 3 [*see Ginter, column 126, lines*

47-63]. By this rationale **claim 3** is rejected.

Regarding **claim 4**, the combination Sehr-Ginter teaches the method of claim 1,

wherein the access parameters comprise user-specific and access-specific parameters.

The same motivation that was utilized in the combination of claim 1, applies equally as

well to claim 4 [*see Ginter, column 232, lines 12-38*]. By this rationale **claim 4** is

rejected.

Regarding **claim 5**, the combination Sehr-Ginter teaches the method of claim 4,

wherein the access-specific parameters include content access rights identifying an

access life cycle. The same motivation that was utilized in the combination of claim 1,

applies equally as well to claim 5 [*see Ginter, column 232, lines 12-38*]. By this

rationale **claim 5** is rejected.

Regarding **claim 6**, the combination Sehr-Ginter teaches the method of claim 5,

wherein the access life cycle transcends user session boundaries. The same

motivation that was utilized in the combination of claim 1, applies equally as well to

claim 6 [*see Ginter, column 158, lines 58-67; column 159, 1-35*]. By this rationale **claim**

6 is rejected.

Regarding **claim 7**, the combination Sehr-Ginter teaches the method of claim 4,

wherein the user-specific parameters include an identification of one or more users

authorized to receive the content. The same motivation that was utilized in the

combination of claim 1, applies equally as well to claim 7 [see Ginter, column 282, lines 17-38]. By this rationale **claim 7** is rejected.

Regarding **claim 8**, the combination Sehr-Ginter teaches the method of claim 1, further comprising receiving a confirmation message from the user terminal if the user terminal successfully receives the delivered content. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 8 [see Sehr, column 23, lines 20-67]. By this rationale **claim 8** is rejected.

Regarding **claim 9**, the combination Sehr-Ginter teaches the method of claim 8, further comprising modifying the access ticket object to reflect changes in access rights resulting from the successful receipt of the delivered content at the user terminal. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 9 [see Sehr, column 23, lines 20-67; column 24, 1-58]. By this rationale **claim 9** is rejected.

Regarding **claim 10**, the combination Sehr-Ginter teaches the method of claim 9, wherein modifying the ticket to reflect changes in the access rights comprises decrementing a permitted download count. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 10 [see Ginter, column 287, lines 63-67; column 288, lines 1-24]. By this rationale **claim 10** is rejected.

Regarding **claim 11**, the combination Sehr-Ginter teaches the method of claim 9, wherein modifying the ticket to reflect changes in the access rights comprises adjusting an access parameter identifying when content may be downloaded. The same

motivation that was utilized in the combination of claim 1, applies equally as well to

claim 11 [see Ginter, column 285, lines 47-67]. By this rationale **claim 11** is rejected.

Regarding **claim 12**, the combination Sehr-Ginter teaches the method of claim 9,

wherein modifying the ticket to reflect changes in the access rights comprises modifying

at least one of a user identifier and an equipment identifier to modify potential recipients

of the content that may be downloaded. The same motivation that was utilized in the

combination of claim 1, applies equally as well to claim 12 [see Sehr, column 15, lines

38-67]. By this rationale **claim 12** is rejected.

Regarding **claim 13**, the combination Sehr-Ginter teaches the method of claim 1,

further comprising delivering an address of the access ticket object to the requesting

service upon creation of the access ticket object. The same motivation that was utilized

in the combination of claim 1, applies equally as well to claim 13 [see Sehr 18, column

18, lines 57-67; column 19, lines 1-33]. By this rationale **claim 13** is rejected.

Regarding **claim 14**, the combination Sehr-Ginter teaches the method of claim 1,

further comprising storing the access ticket object in persistent storage after creation of

the access ticket object, and wherein retrieving the access ticket object comprises

retrieving the access ticket object from the persistent storage when the ticket identifier

matches an access ticket object address. The same motivation that was utilized in the

combination of claim 1, applies equally as well to claim 14 [see Sehr, column 18, lines

57-67]. By this rationale **claim 14** is rejected.

Regarding **claim 15**, the combination Sehr-Ginter teaches the method of claim 1,

further comprising calling a charging element to create a charging record upon delivery

of the content to the user terminal. The same motivation that was utilized in the

combination of claim 1, applies equally as well to claim 15 [*see Sehr, column 6, lines

20-67*]. By this rationale **claim 15** is rejected.

Regarding **claim 16**, the combination Sehr-Ginter teaches the method of claim 1,

wherein authorizing the content download comprises authorizing the content download

to one or more of the user terminals associated with the ticket identifier of the access

ticket object. The same motivation that was utilized in the combination of claim 1,

applies equally as well to claim 16 [*see Sehr, column 20, lines 15-46*]. By this rationale

claim 16 is rejected.

Regarding **claim 18**, the combination Sehr-Ginter teaches the method of claim 1,

further comprising fetching the content from a content storage facility upon authorizing

the content download. The same motivation that was utilized in the combination of

claim 1, applies equally as well to claim 18 [*see Sehr, column 20, lines 15-46*]. By this

rationale **claim 18** is rejected.

Regarding **claim 19**, the combination Sehr-Ginter teaches a download server for

controlling access to downloadable content via a network, comprising:

a storage module [*see Ginter, fig. 17, item 302; column 125, lines 27-46*];

a service handler configured to receive service requests to download content

from a network service, to create and store in the storage module a ticket object having

access parameters based on information provided in the service request, and

to deliver to the network service a corresponding ticket address of the ticket

object in the storage module[*see Ginter, column 113, lines 30-37; column 176, lines 29-*

59]; and

a transaction handler configured to receive download transaction requests

identifying the ticket address [*see Ginter, column 232, lines 5-38*], to retrieve the ticket

object from the storage module based on the ticket address and authorize a download

transaction based on the access parameters of the ticket object [*see Sehr, column 20,*

lines 15-46], and to deliver the content to a user terminal identified by the ticket object

upon authorization of the download transaction [*see Sehr, column 222, lines 30-39*].

The same motivation that was utilized in the combination of claim 1, applies equally as

well to claim 19. By this rationale **claim 19** is rejected.

Regarding **claim 20**, the combination Sehr-Ginter teaches the download server

as in claim 19, wherein the transaction handler is further configured to fetch the content

corresponding to the transaction request from a content storage facility. The same

motivation that was utilized in the combination of claim 1, applies equally as well to

claim 20 [*see Ginter, column 232, lines 5-38*]. By this rationale **claim 20** is rejected.

Regarding **claim 21**, the combination Sehr-Ginter teaches the download server

as in claim 19, further comprising a charging handler to call a charging facility to create

a charging record upon delivery of the content to the user terminal. The same

motivation that was utilized in the combination of claim 1, applies equally as well to

claim 21 [*see Sehr, column 16, lines 20-67*]. By this rationale **claim 21** is rejected.

Regarding **claim 22**, the combination Sehr-Ginter teaches the download server

as in claim 19, wherein the storage module is a non-volatile memory. The same

motivation that was utilized in the combination of claim 1, applies equally as well to

claim 22 [*see Ginter, column 162, lines 34-67*]. By this rationale **claim 22** is rejected.

Regarding **claim 23**, the combination Sehr-Ginter teaches the download server

as in claim 19, wherein the access parameters comprise an access quantity field to

identify a number of times in which the download transactions have been authorized.

The same motivation that was utilized in the combination of claim 1, applies equally as

well to claim 23 [*see Sehr, column 18, lines 1-56*]. By this rationale **claim 23** is

rejected.

Regarding **claim 24**, the combination Sehr-Ginter teaches the download server

as in claim 19, wherein the access parameters comprise an access enable field to

identify at what times the download transactions have been authorized. The same

motivation that was utilized in the combination of claim 1, applies equally as well to

claim 24 [*see Sehr, column 8, lines 5-58*]. By this rationale **claim 24** is rejected.

Regarding **claim 25**, the combination Sehr-Ginter teaches the download server

as in claim 19, wherein the access parameters comprise an end-user identification field

to identify the end-users to which the content associated with the download transaction

has been authorized. The same motivation that was utilized in the combination of claim

1, applies equally as well to claim 25 [*see Sehr, column 18, lines 1-56*]. By this

rationale **claim 25** is rejected.

Regarding **claim 26**, the combination Sehr-Ginter teaches the download server

as in claim 25, wherein the end-user identification field comprises a user name. The

same motivation that was utilized in the combination of claim 1, applies equally as well

to claim 26 [*see Ginter, column 235, lines 44-58*]. By this rationale **claim 26** is rejected.

Regarding **claim 27**, the combination Sehr-Ginter teaches the download server

as in claim 25, wherein the end-user identification field comprises a user terminal

identifier. The same motivation that was utilized in the combination of claim 1, applies

equally as well to claim 27 [*see Ginter, column 221, lines 17-49*]. By this rationale

claim 27 is rejected.

Regarding **claim 29**, the combination Sehr-Ginter teaches a system for

controlling access to downloadable content via a network, comprising:

(a) a user terminal to initiate content download requests[*see Ginter, fig. 71, items

2600, 2800; column 231, lines 1-48*];

(b) a network service module to receive the content download requests and

initiate service requests in response thereto [*see Ginter, lines 17-55*];

(c) a download server coupled to the network service to receive the service

requests, the download server comprising:

(i) a storage module[*see Ginter, fig. 17, item 302; column 125, lines 27-46*];

(ii) a service handler configured to create and store in the storage module a ticket

object having access parameters based on information provided in the service request,

and to deliver to the network service module a corresponding ticket address of the ticket

object in the storage module[*see Ginter, column 113, lines 30-37; column 176, lines 29-59*];

(iii) a transaction handler configured to receive download transaction requests identifying the ticket address *see Ginter, column 232, lines 5-38*], to retrieve the ticket object from the storage module based on the ticket address and authorize a download transaction based on the access parameters of the ticket object[*see Sehr, column 20, lines 15-46*], and to deliver the content to a user terminal identified by the ticket object upon authorization of the download transaction[*see Sehr, column 222, lines 30-39*]. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 29. By this rationale **claim 29** is rejected.

Regarding **claim 30**, the combination Sehr-Ginter teaches the system as in claim 29, further comprising a content storage facility to store the content corresponding to the download transactions. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 30 [*see Ginter, column 226, lines 47-63*]. By this rationale **claim 30** is rejected.

Regarding **claim 31**, the combination Sehr-Ginter teaches the system as in claim 29, wherein the download server further comprises a charging handler to initiate a charging call upon delivery of the content to the user terminal. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 31 [*see Ginter, column 113, lines 30-37; column 176, lines 29-59*]. By this rationale **claim 31** is rejected.

Regarding **claim 32**, the combination Sehr-Ginter teaches the system as in claim

31, further comprising a charging facility to create a charging record in response to the

charging call from the charging handler. The same motivation that was utilized in the

combination of claim 1, applies equally as well to claim 27 [*see Sehr, column 16, lines

20-67*]. By this rationale **claim 32** is rejected.

Regarding **claim 33**, the combination Sehr-Ginter teaches a system for

controlling download access to content available via a network service, wherein the

network service initiates a content download request including access information[*see

Ginter, column 231, lines 6-48*], the system comprising:

means for creating an access ticket object based on the access information,

wherein the access ticket object comprises a plurality of ticket fields to store a plurality

of access parameters parsed from the access information[see Sehr, *fig. 3; column 23,

lines 20-67*];

means for retrieving the access ticket object associated with a transaction

request using a ticket identifier accompanying the transaction request [see Sehr, *11,

lines 63-67; column 12, lines 1-52*];

means for authorizing a content download based on the access parameters of

the retrieved access ticket object [see Sehr, *column 20, lines 15-46*]; and

means for delivering the content to a user terminal identified by the access ticket

object if the content download is authorized [*see Ginter, column 222, lines 30-61*]. The

same motivation that was utilized in the combination of claim 1, applies equally as well

to claim 33. By this rationale **claim 33** is rejected.

Regarding **claim 34**, the combination Sehr-Ginter teaches a computer-readable

medium having computer-executable instructions for controlling access to downloadable

content available via a network service, the computer-executable instructions

performing steps comprising:

receiving a content download request from the network service, wherein the

content download request includes access information [see Sehr, *column 19, lines 3-*

33];

creating an access ticket object based on the access information, wherein the

access ticket object comprises a plurality of ticket fields to store a plurality of access

parameters parsed from the access information[see Sehr, *fig. 3; column 23, lines 20-*

67];

retrieving the access ticket object associated with a transaction request using a

ticket identifier accompanying the transaction request[see Sehr, *11, lines 63-67; column*

12, lines 1-52];

authorizing a content download based on the access parameters of the retrieved

access ticket object[see Sehr, *column 20, lines 15-46*]; and

delivering the content to a user terminal identified by the access ticket object if

the content download is authorized [*see Ginter, column 222, lines 30-61*]. The same

motivation that was utilized in the combination of claim 1, applies equally as well to

claim 34. By this rationale **claim 34** is rejected.

Regarding **claim 35**, the combination Sehr-Ginter teaches a method for

controlling download access to a terminal to content available via a network service,

comprising:

creating an access ticket based on user access information provided by the

network service [*see Ginter; column 231, lines 6-48*];

notifying the terminal of a ticket address corresponding to a stored location of the

access ticket [*see Sehr; column 15, lines 10-67*];

creating a transaction upon receipt of a transaction request including the ticket

address from the terminal[*see Ginter; column 53, lines 1-29*]; and

providing requested content to the terminal for each one or more transaction

requests identifying the transaction sent from the terminal[*see Ginter; column 53, lines*

20-48]. The same motivation that was utilized in the combination of claim 1, applies

equally as well to claim 35. By this rationale **claim 35** is rejected.

Regarding **claim 36**, the combination Sehr-Ginter teaches the method of claim

35, wherein creating the access ticket comprises:

receiving a content download request from the network service, wherein the

content download request includes the user access information [*see Sehr; column 19,*

lines 3-65];

parsing the content download request to obtain the user access information; and

creating the access ticket based on the user access information[*see Sehr; column 19,*

lines 3-65].

Regarding **claim 37**, the combination Sehr-Ginter teaches the method of claim

35, wherein notifying the terminal of a ticket address comprises:

creating a document including the ticket address [see Ginter, column 271, lines

49-67]; and

sending the document to the network service for use by the terminal. The same

motivation that was utilized in the combination of claim 1, applies equally as well to

claim 37 [see Ginter, column 272, lines 1-58]. By this rationale **claim 37** is rejected.

Regarding **claim 38**, the combination Sehr-Ginter teaches the method of claim

35, wherein creating a transaction upon receipt of a transaction request comprises:

fetching the access ticket corresponding to the ticket address provided in the

transaction request [see Sehr, column 11, lines 63-67; column 12, lines 1-52];

creating the transaction if the access ticket is valid; and providing a transaction

identifier corresponding to the created transaction to the terminal. The same motivation

that was utilized in the combination of claim 1, applies equally as well to claim 38 [see

Sehr, column 5, lines 55-67; column 6, lines 1-65]. By this rationale **claim 38** is

rejected.

Regarding **claim 39**, the combination Sehr-Ginter teaches the method of claim

38, wherein providing requested content to the terminal comprises providing the

requested content to the terminal upon creation of the transaction. The same

motivation that was utilized in the combination of claim 1, applies equally as well to

claim 39 [see Sehr, column 5, lines 55-67; column 6, lines 1-65]. By this rationale **claim 39** is rejected.

Regarding **claim 40**, the combination Sehr-Ginter teaches the method of claim 39, wherein providing requested content to the terminal further comprises providing the requested content to the terminal in response to subsequent transaction requests including the transaction identifier. The same motivation that was utilized in the combination of claim 1, applies equally as well to claim 40 [see Sehr, column 5, lines 55-67; column 6, lines 1-65]. By this rationale **claim 40** is rejected.

Regarding **claim 41**, the combination Sehr-Ginter teaches a method for controlling download access to content available via a network service, comprising:

receiving a content download request from the network service, wherein the content download request includes access information [see Ginter, *column 19, lines 3-33*];

creating a ticket based on the access information, wherein the ticket comprises a plurality of ticket fields to store a plurality of access parameters parsed from the access information [*see Ginter, fig. 3; column 23, lines 20-67*];

storing the ticket [*see Sehr, column 15, lines 9-37*];

providing a ticket address of the ticket to the service for use by a terminal [*see Sehr, column 15, lines 9-67*];

receiving a first transaction request including the ticket address from the terminal;

retrieving the ticket corresponding to the ticket address [*see Sehr, column 9, lines 20-67*];

creating a transaction based on the ticket, wherein the transaction is associated

with a transaction identifier [*see Sehr, column 38, lines 60-67; column 39, lines 1-32*];

retrieving targeted content identified in the first transaction request [*see Sehr,*

column 11, lines 63-67; column 12, lines 1-52];

receiving subsequent transaction requests including the transaction identifier

from the terminal [*see Sehr, column 5, lines 55-67; column 6, lines 1-15*];

retrieving the transaction identified by the transaction identifier; and retrieving

targeted content identified in the subsequent transaction requests. The same

motivation that was utilized in the combination of claim 1, applies equally as well to

claim 41 [*see Sehr, column 38, lines 21-67*]. By this rationale **claim 41** is rejected.

Regarding **claim 43**, the combination Sehr-Ginter teaches the method as in claim

41, further comprising providing the transaction identifier to the terminal via URL

encoding. The same motivation that was utilized in the combination of claim 1, applies

equally as well to claim 40. The same motivation that was utilized in the combination of

claim 1, applies equally as well to claim 43 [*see Ginter, column 286, lines 1-13*]. By this

rationale **claim 43** is rejected. .

Regarding **claim 44**, the combination Sehr-Ginter teaches the method as in

Claim 1, further comprising executing the downloaded content to set configuration

parameters of the user terminal [see Ginter; column 223, lines 4-65].

Regarding **claim 45**, the combination Sehr-Ginter teaches the method as in

Claim 44, wherein executing the downloaded content to set the configuration

parameters comprises setting the configuration parameters to enable the user terminal

to access new or upgraded network services [see Ginter; column 223, lines 4-65].

6.   **Claims 17 and 42** are rejected under 35 U.S.C. 103(a) as being unpatentable

over Sehr and Ginter as applied to claims 1 and 41 above, and in further view of

Freishtat et al (Freishtat), U.S. Patent No. 6,317,783.

Regarding **claim 17**, the combination Sehr-Ginter teaches the method of claim 1,

but fails to disclose a method wherein delivering the content to a user terminal

comprises delivering the content via an XML document.

In the same field of endeavor, Freishtat discloses "*a service Provider that*

delivers content to the users using the Extensive Markup Language(XML0 as specified

in the W3C to create the pages...) [*see* Freishtat, *column 12, lines 29-56*].

Accordingly, it would have been obvious to one of ordinary skill in the networking

art at the time the invention was made to have incorporated Freishtat's teachings of a

method and apparatus to deliver the user content to via an XML documents, with the

teachings of Sehr-Ginter, for the purpose of "*authenticating the cardholder or system*

information and to guarantee a secure information exchange" as stated by Sehr in lines

37-40 of column 3. Thus, Freishtat also provides motivation to combine by stating a

need to also provide to the network with "*the ability to deliver to the end user the*

information or data in a uniformed manner and permit to the end user to retrieve critical

data..." [*see Freishtat, column 3, lines 9-30*]. By this rationale **claim 17** is rejected.

Regarding **claim 42**, the combination Sehr-Ginter-Freishtat teaches the method

as in claim 41, further comprising providing the transaction identifier to the terminal via a

cookie. The same motivation that was utilized in the combination of claim 17, applies

equally as well to claim 42 [*see Freishtat, column 7, lines 7-55*]. By this rationale **claim**

42 is rejected.

7.   **Claim 28** is rejected under 35 U.S.C. 103(a) as being unpatentable over Sehr

and Ginter as applied to claim 27 above, and in further view of Garner et al (Garner),

U.S. Patent No. 6,112,085.

Regarding **claim 28**, the combination Sehr-Ginter teaches the download server

as in claim 27, but fails to disclose a server wherein the user terminal identifier is a

Mobile Station ISDN/PSTN Number (MSISDN).

In the same field of endeavor, Garner discloses "PSTN interfaces within an ISDN

network to receive, process and exchange information with the station terminals...)

[*see Garner, column 34, lines 33-59*].

Accordingly, it would have been obvious to one of ordinary skill in the networking

art at the time the invention was made to have incorporated Garner's teachings of a

method and apparatus to a Mobile Station Identifier is used as a Mobile ISDN station

Number, with the teachings of Sehr-Ginter, for the purpose of "*authenticating the*

cardholder or system information and to guarantee a secure information exchange" as

stated by Sehr in lines 37-40 of column 3. Thus, Garner also provides motivation to

combine by stating a need to also provide to the network with "*the ability to permit*

mobile users to listen to two-way conversation and to transmit securely..." [*see Garner,*

column 12, lines 7-11]. By this rationale **claim 28** is rejected.

Response to Arguments

8.   Applicant's Request for Reconsideration filed on May 23rd, 2005 has been

carefully considered but is not deemed fully persuasive. However, because there exists

the likelihood of future presentation of this argument, the Examiner thinks that it is

prudent to address Applicants' main points of contention.

A. The Sehr and Ginter References, both individually or in combination, fail to

teach or suggest at least the features of "retrieving from a download server an

access ticket object" with respect to independent **claims 1, 19, 29, 33, 34, 35,**

and 41.

B. Applicant contends that with at least the reason of point A above, the combine

references of Sehr and Ginter fails to teach or suggest each and every element

of the amended independent **claims 1, 19, 29, 33, 34, 35, and 41** and that the

prima facie case of obviousness is not established.

C. Applicant contends that the Frieshtat does not overcome the alleged

deficiency of Sehr and Ginter .

9.   As to "Point A" it is the position of the Examiner The Sehr and Ginter References

teach in details the limitations of the above mentioned claims. However, in view of

Applicant's remarks, stating that both prior art references do not disclose "retrieving

from a download server an access ticket object" Examiner thinks it is necessary to

address the specific grounds for rejection [see Sehr, column 6, lines 62-67; here Sehr

points out the client/server approach of his invention and it would have been obvious for

an ordinary skill in the art to used a download server in a client/server environment to

retrieve ticket information [see Sehr, column 9, lines 20-67. Ginter also discloses a

Server(downloadable) that can deliver all or a portion of the requested object (ticket

information)[see Ginter; column 223, lines 4-65]. By this rationale, independent claims

1, 19, 29, 33, 34, 35, and 41 are rejected.

As to "Point B" it is the position of the Examiner the references Sehr and Ginter,

teach each and every limitation of this application as explained in point A above.

As to point C, because Point A and B do not stand, the basis the applicant uses

to contend the Frieshtat reference has no basis. Applicant traversals are unpersuasive

claims 1-43 stand rejected.

Conclusion

10.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

11.   Any inquiry concerning this communication or earlier communications from

examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-

3914. The examiner can normally be reached on Monday-Thursday and every other
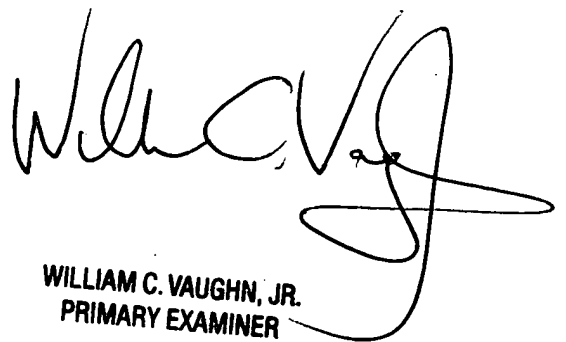
Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (571) 272-

9000.

Jude Jean-Gilles

Patent Examiner

Art Unit 2143

WILLIAM C. VAUGHN, JR.
PRIMARY EXAMINER

JJG

August 08, 2005